

Fred Olinde

From: Beth Hagan
Sent: Thursday, January 19, 2017 10:28 AM
To: Wesley Barr; Kayla Petz
Cc: Fred Olinde
Subject: RE: Discussion re: Bair Hugger Filings - The Olinde Firm - Richard Charap

Hi, Wes. Sorry, I thought we had already discussed the new records received. The only records received in Dec 2016 were a nerve block note from anesthesia (not helpful) and an implant list from the initial right TKA. We already had the implant list. We still need an H&P to document co-morbidities and other risk factors and the anesthesia record to document start & stop times for surgery and possibly better BH documentation. What we have for BH documentation is in billing "gown flex patient warming std". I don't know why we are not getting H&P and anesthesia records which were requested unless they are having a problem with the wording of the request. It seems clear to me.

There was no useful information received to update his review.

From: Wesley Barr
Sent: Tuesday, January 17, 2017 10:29 AM
To: Beth Hagan <bhagan@olindefirm.com>; Kayla Petz <kpetz@olindefirm.com>
Cc: Fred Olinde <folinde@olindefirm.com>
Subject: RE: Discussion re: Bair Hugger Filings - The Olinde Firm - Richard Charap

Beth,

Did you review Richard Charap's addl records received from NYU in Dec 2016? If so, can you resend me your updated review so we know what additional information we still need from him to confirm BH use and H&P info?

His medical records and bellwether evaluation form are saved in his file on the server.

Thanks.

Wesley G. Barr
Attorney



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From: Beth Hagan
Sent: Wednesday, December 14, 2016 11:24 AM
To: Wesley Barr; Kayla Petz
Cc: Fred Olinde
Subject: RE: Discussion re: Bair Hugger Filings - The Olinde Firm - Richard Charap

Will do.

From: Wesley Barr
Sent: Wednesday, December 14, 2016 10:47 AM
To: Beth Hagan <bhagan@olindefirm.com>; Kayla Petz <kpetz@olindefirm.com>
Cc: Fred Olinde <folinde@olindefirm.com>
Subject: FW: Discussion re: Bair Hugger Filings - The Olinde Firm - Richard Charap

Beth,

The lead plaintiff's council has requested more information on Richard Charap's case. Attached is your bellwether eval form that indicates we need to know about any joint replacement surgeries prior to Feb 2013 knee replacement and any history of prior infections. Attached is the request to NYU for H&P and equipment list for his Feb 2013 surgery and the additional medical records recently received. Unfortunately, it looks like they didn't send us much and it may not include the H&P like we requested.

Please review and update the form, and we may have to contact US Legal or the hospital directly to find out why we aren't getting H&P.

Wesley G. Barr
Attorney



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From: Ben Gordon [mailto:bgordon@levinlaw.com]
Sent: Thursday, December 08, 2016 5:01 PM
To: Wesley Barr; Noah Lauricella; Fred Olinde
Cc: Daniel Nigh
Subject: RE: Discussion re: Bair Hugger Filings - The Olinde Firm

Thanks for the chat today Wes.

Noah, Wes and I reviewed all six of their cases, and he will get back to us with further details on each of them. my notes are a little spotty, but I explained to wes that, on the four red cases, Grigsby, Wingrove, and Leroux, and Zeigler, the more support or info they give us the better, as these all look like really tough cases. They seem to mostly relate to superficial wound types of infections, with I/D, wound dehiscence, etc., which ultimately led, however, to fully revisions, but the thinking is that they were not true PJI's caused by the BH and so will be tough causation cases. on one of them, I think it was Zeigler, that was a failed MoM case, so that presents even deeper problems in terms of alternative causation, etc.

Two of the cases, Neofes and Charap, are blue cases, and they are waiting on additional records but may have some in that they can provide us asap, hopefully supporting those cases.

on the others, Wes concedes that some of them were filed to protect the SOL, and he understands the problems and concerns about moving forward with specious or really tenuous cases that could get selected among the random 150 the judge is picking on Dec 23, so any that he is going to consider dismissing, to consider doing so sooner rather than later.

We can follow up when wes sends us more info next week on these cases . thanks.

Ben Gordon
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From: Wesley Barr [mailto:wbarr@olindefirm.com]
Sent: Wednesday, December 07, 2016 4:22 PM
To: Ben Gordon; Noah Lauricella; Fred Olinde
Cc: Daniel Nigh
Subject: RE: Discussion re: Bair Hugger Filings - The Olinde Firm

Thanks, Ben. I'm just getting out of trial today but am free tomorrow afternoon to discuss. Let me know what time is works for you, and I'll be available.

Wesley G. Barr
Attorney



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From: Ben Gordon [<mailto:bgordon@levinlaw.com>]
Sent: Wednesday, December 07, 2016 3:58 PM
To: Noah Lauricella; Wesley Barr
Cc: Daniel Nigh
Subject: RE: Discussion re: Bair Hugger Filings - The Olinde Firm

Thanks Noah.

wes—if you or fred would like to discuss these issues please let me know. we would like to give you our thinking ASAP so you can decide what action may need to be taken on these cases.
thanks.

ben

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From: Noah Lauricella [<mailto:nlauricella@goldenberglaw.com>]
Sent: Wednesday, December 07, 2016 4:00 PM
To: Wesley Barr
Cc: Ben Gordon; Daniel Nigh
Subject: Discussion re: Bair Hugger Filings - The Olinde Firm

Mr. Barr,

The Bair Hugger PSC has reviewed, with the help of a physician well-versed in orthopedics and infectious disease, all cases currently on file for which evaluation forms have been submitted and would like to speak with you about the following cases:

- Lois Grigsby
- Theodore Wingrove
- John Neofes
- Glynn Zeigler, Jr.
- Richard Charap
- Larry R. Leroux

Please expect someone from leadership to contact you in the very near future to discuss these cases and obtain whatever additional information you can provide.

As a reminder, the bellwether pool cut-off date is rapidly approaching, and we owe it to all plaintiffs to try to ensure that all cases in the bellwether pool are well-vetted, meritorious claims. In addition, please keep this in mind for any upcoming filing, and please try to file as many of your strongest, well-documented cases as possible before the December 19 bellwether cut-off.

As time is of the essence, please be prepared to talk about the details and merits of your cases with anyone from leadership who reaches out to you in the coming days before the bellwether cut-off.

Sincerely,

Noah Lauricella
Bair Hugger PSC Bellwether Committee Co-Chair



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